THE HON'BLE Ms. JUSTICE G.ROHINI

–

WRIT PETITION NO: 9362 of 2006

Dated: 28-04-2006

Between:

Mohammed Rafeeq

..... PETITIONER

AND

The Deputy Transport Commissioner,

And Secretary, Regional Transport

Authoprity, Nizamabad and another.

.....RESPONDENTS

THE HON'BLE Ms. JUSTICE G.ROHINI

–

WRIT PETITION NO: 9362 of 2006

O R D E R:

This writ petition is filed seeking a declaration that the seizure of the petitioner's vehicle bearing registration No. AP 09 W 1107 under a check report No.0171841, dated
04-03-2006, by the second respondent, is arbitrary and illegal.

A perusal of the check report, dated 04-03-2006, shows that the vehicle was seized on various allegations specified thereunder. Though it is open to the respondents to make the necessary enquiry into the said allegations, after affording due opportunity to the petitioner to put forth his version, I deem it appropriate to direct release of the vehicle pending such enquiry to meet the ends of justice, subject to reasonable terms.

Accordingly, without expressing any opinion on merits and while leaving it open to the respondents to proceed with the enquiry pursuant to check report dated 04-03-2006, the writ petition is disposed of with a direction to the respondents to release vehicle bearing No. AP 09 W 1107 subject to the condition that the petitioner deposits a sum of Rs.5,000/-
(Rupees five thousand only) and also furnishes an undertaking to produce the vehicle as and when required and that he will not alienate or create any third party interest in respect of the said vehicle till the proceedings pursuant to the check report dated 04-03-2006 are concluded.

The writ petition is accordingly disposed of. No costs.

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G. ROHINI, J

Dated: 28-04-2006

KLP